



APPROVED

KITTERY PORT AUTHORITY
December 5, 2013 Meeting Minutes
Council Chambers, Town Hall

Members Present: Bob Melanson, Chairman, Tom Smith, Barry Bush, Steve Lawrence, Kelly Philbrook
Members Absent: Ray Grenier, Dan Arbo
Staff: Harbormaster Mike Blake

The meeting of December 5, 2013 was called to order at 6:00 p.m.

1. Pledge of Allegiance
2. Minutes
Ms. Philbrook moved to accept the minutes of November 7, 2013 as amended
Mr. Bush seconded
Motion carried unanimously by all members present
3. Public Segment
Milton Hall – The Traip ramp is not out far enough in low water. A 60-foot float would look out of place, but a 40-foot float would eliminate the need for moorings. The floats on the plan submitted to Council were 6x20 and should have been 8x20.
4. Budget Report
 - Year to date Operating Income & Expense- Mike Blake
 - No major changes; 53% expended.
 - Little changes in revenue.
 - Harbormaster will email revenue and expense statements to KPA members in advance of meetings. Hard copies will be provided if requested.
4. Harbormaster Report- Mike Blake
 - Dewatering pump removed to his home garage for safe keeping during the winter.
 - Troiano trash containers have been removed from the pier and others to be removed shortly.
 - Prices received for no-wake buoys.
 - Door and lock system for Frisbee Pier bathroom is needed.
 - Met with Paul Bourke and Alan Breton to discuss post-season and next season activities and suggestions, and discussed: work hours; start-up date of May 15; patrol areas; maintain contact with Traip Academy to advise of activities that use parking areas; paid drop box upgrade; surveillance cameras; replacement of harbormaster boat.
6. Marinas Piers and Floats – PUBLIC HEARINGS
 - Brian Boucher/Theodore H. Curtis Trust is requesting to install a 3'x20' gangway and an 8'x15' float to an existing 4'x38' fixed pier at 43 Tower Rd, Kittery, Map 58 Lot 34. Owner's agent is Zachary Taylor of Riverside and Pickering Marine.
Public Hearing: There was no public comment
Mr. Taylor summarized the project is to provide better access; application is currently under review by state and federal review authorities; Mr. Richardson, abutter, stated he had no issues with the project; there is very limited space, so use will be for smaller vessels. Mr. Smith asked about the marsh and eel grass. Mr. Taylor noted there is marsh grass in the area, but the proposed extension remains outside of the travel channel.

Ms. Philbrook moved to approve the application of Brian Boucher/Theodore H. Curtis Trust to install a 3'x20' gangway and a 8'x15' float to an existing 4'x38' fixed pier at 43 Tower Rd, Kittery, Map 58 Lot 34.

Mr. Lawrence seconded

Motion carried unanimously by all members present

- Knights of Kittery LLC is requesting approval to install a 3'x35" gangway within the existing wharf footprint with 10 sf outside the existing wharf/float area at 4 Knight Ave Kittery, Map 4 Lot 67. Owner's agent is Zachary Taylor of Riverside & Pickering Marine.

Public Hearing: There was no public comment

Mr. Taylor summarized the proposal to install a recessed gangway within the existing wharf footprint. Mr. White, Knights Ave. Assoc. abutter, provided a 'letter of no objection' regarding the existing location of the wharf within the 25-foot setback area. The application is currently under review by state and federal review authorities.

Ms. Philbrook moved to approve the install a 3'x35" gangway within the existing wharf footprint with 10 sf outside the existing wharf/float area at 4 Knight Ave Kittery, Map 4 Lot 67 pending receipt of state and federal approvals

Mr. Bush seconded

Motion carried unanimously by all members present

INFORMATIONAL/DISCUSSION ONLY:

Mr. Melanson noted this item was not included on the agenda, and no action by the KPA may be taken at this time. Discussion is for informational purposes only.

Frisbee Holdings LLC: Zachary Taylor summarized the proposal is to extend the existing dock 50 feet to deeper water access for the ferry which cannot access or leave the existing dock during some low tides. Because the ferry is schedule dependent, extending the pier will provide for more reliable access. Ms. Philbrook noted Frisbee Holdings does not own the ferry business, and the extension of the pier will impact existing moorings, and if these moorings are removed she wants to be sure they are replaced. Discussion followed regarding mooring relocation, proximity to the Frisbee Pier. Mr. Melanson suggested the applicant meet with the Harbormaster to identify impacted moorings. Mr. Lawrence questioned the size of the area and subsequent congestion with such an extension. Discussion followed regarding riparian rights and setbacks. Mr. Bush noted that tides are predictable and there's a public pier nearby.

7. Projects

- BIG Project Recap

Council approved the BIG project on November 25. MDOT met with the Town Manager regarding the bid award and alternates (utilities) for funding. MDOT has proposed to fund waterside utilities in full as a grant match, with the Town paying for Bellamy Lane utilities; DPW will contract the Bellamy Lane utilities as in-kind match, with materials paid by KPA as match.

Discussion followed regarding the need for planning and workshop discussions for this issue.

Mr. Bush moved to nominate Tom Smith as KPA liaison during Pepperrell Pier project construction.

Mr. Melanson seconded

Discussion:

Steve Lawrence explained fishermen want to be kept informed of project activities. What is the timeline for use by fishermen? Ms. Philbrook stated by April 1; or late March. Steve stated Mark Drummond [in audience] and others should be involved. Mr. Melanson suggested the KPA liaison could contact selected fishermen who could keep everyone apprised of activities related to the project,

rather than having only one person representing the whole. Steve Lawrence will contact individuals for involvement.

Motion carried with 4 in favor; one opposed (Philbrook)

A workshop was scheduled for December 18 at 6:00 p.m. to discuss the business plan and Rules and Regulations, in Conference Room A.

- Rice Ave. Right of Way – Tom Smith met with Attorney McEachern regarding the Rice Avenue ROW court case from prior years. A map and the release agreement were presented [Attachment A]. Mr. Smith noted he would like to see kayak racks and a launch pad installed at Rice Ave. and room for dinghy space.
Steve Lawrence stated a boat ramp could easily be installed at this location.
Mr. Melanson suggested this issue could go to workshop in January and February.
- Wave Mitigation Project: The grant application previously approved by Council was approved, and the design phase by Wright-Pierce will begin in January.
- Traip Float Project, Harbormaster: Awaiting word from Carol Dibello, Submerged Lands, and MDOT. Required paperwork has been submitted to reviewing authorities.
- Shore and Harbor Comp Plan: The final draft should be completed by year end.

8. Isles of Shoals Mooring Field - Tom Smith/ Harbormaster

- Mr. Smith met with Ed, Bob and Donald Foye to address Bob Foye's concerns. Those issues that were not resolved will be addressed by the KPA.
- Bob Foye:
 - Rules and Regulations requiring Isle of Shoals moorings to be property owners.
 - Possibility of illegal moorings in the Shoals;
 - Plans to add moorings at the Shoals (where and who's getting them?);
 - Yacht Club moorings.

Mr. Melanson explained it is the KPAs authority to monitor and collect fees for moorings, so this should be researched. Mr. Smith noted the two Kittery Point, Naval and Portsmouth Yacht Clubs have moorings in the area. Mooring placement is determined by the Harbormaster. Applications are in place for moorings at the Shoals. Mike Blake will coordinate with Mr. Foye for potential mooring locations in the area. Mr. Foye asked if there could be some financial relief of mooring fees for those living on the Isle of Shoals. Mr. Melanson explained this will be discussed at the upcoming workshop. Discussion followed regarding lessee/land ownership for Shoals moorings and existence of miscellaneous yacht club moorings. Mr. Smith noted if this is a FNP, the land ownership requirement may not be allowed.

9. Board Members - New and Old Business

- Steve Lawrence: security cameras at Traip;
- how can you legally rent out a mooring? The Harbormaster explained only a municipality can rent a mooring, per state law, and will confirm with Jay Clement.
- Kelly Philbrook – no comments
- Tom Smith noted the signage at Frisbee has been removed and it looks better
- Barry Bush – no comments
- Bob Melanson – Explained that Ann Grinnell, Planning Board member, has asked the Planning Board to elect her as the new Board representative to the KPA, and asked if the KPA had any comments or concerns with this request.

Ms. Philbrook stated she thought it was inappropriate for the KPA to discuss this matter in public.

Mr. Smith moved to give Bob Melanson a vote of confidence for his job as Planning Board representative to the Port Authority, for his knowledge of the Rules and Regulations, for his responsibilities as a member of the Port Authority, and supports him as a Planning Board representative to the KPA.

Seconded by Mr. Bush

Mr. Lawrence and Ms. Philbrook abstained; no vote taken

Motion failed

Mr. Melanson noted: HOLY CRAP! [for the record]

10. Adjourn

Mr. Smith moved to adjourn

Mr. Lawrence seconded

Motion carried unanimously by all members present

The KPA meeting of December 5, 2013 adjourned at 7:32 p.m.

Submitted by Jan Fisk, December 17, 2013